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SEC

SERVICE DATE - DECEMBER 29, 2004

SURFACE TRANSPORTATION BOARD

DECISION

STB Docket No. AB-384 (Sub-No. 1X)

DELTA SOUTHERN RAILROAD, INC.—ABANDONMENT EXEMPTION—BETWEEN
LAKE VILLAGE, AR, AND SHELburn, LA

Decided: December 28, 2004

By decision served on December 3, 2004, in this proceeding, December 30, 2004, was set as the deadline for either party to file a request for the Board to establish the terms and conditions for an offer of financial assistance purchase under 49 U.S.C. 10904 of a 30.0-mile segment of rail line by Southeast Arkansas Economic Development District and Lake Providence Port Commission (collectively, Offerors). By letter filed on December 17, 2004, Delta Southern Railroad, Inc. (DSR), requests an extension until January 7, 2005, of the time period established by 49 CFR 1152.27(h)(4) for filing a reply to any request to set terms that is submitted by the Offerors.

In support of its extension request, DSR states that, if the Offerors file their “set terms” request on December 30, 2004, DSR’s reply deadline would be January 4, 2005,¹ which does not allow enough time to prepare an effective reply, because of the New Year Holiday weekend.² Therefore, DSR requests that the Board extend its reply deadline to January 7, 2005. According to DSR, the Offerors do not oppose this extension request. Under the circumstances, the request is reasonable and will be granted.

It is ordered:

1. DSR’s request for an extension of time to file a reply to the Offerors’ request to set terms and conditions for the purchase of the line is granted. DSR’s reply is due no later than January 7, 2005.

2. This decision is effective on its service date.

¹ See 49 CFR 1152.27(g).

² Friday, December 31, 2004, is a legal holiday in the District of Columbia and January 1 and 2 are Saturday and Sunday, respectively.

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By the Board, Vernon A. Williams, Secretary.

Vernon A. Williams
Secretary